

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ELWOOD H. JONES,	:	
Petitioner,	:	Case No. 1:01-cv-564
-vs-	:	District Judge Thomas M. Rose
	:	Chief Magistrate Judge Michael R. Merz
MARGARET BAGLEY, Warden,	:	
Respondent.	:	

WRIT OF CERTIORARI

TO THE HAMILTON COUNTY COURT OF COMMON PLEAS
OFFICIAL COURT REPORTER:

SIR/MADAM:

The above captioned case is pending before this Court on a Petition for a Writ of Habeas Corpus. Petitioner, Elwood H. Jones, was convicted of aggravated murder in your court, the Hamilton County Court of Common Pleas, in Case No. B-958578.

In order to adjudicate the Petition for Writ of Habeas Corpus, this Court needs original records in your custody regarding the Petitioner's conviction.

A federal district court has authority to issue a writ of certiorari to obtain these records pursuant to 28 U.S.C. §1651 and Rule 7 of the Rules Governing §2254 Cases. Counsel for Petitioner, with the consent of counsel for the Warden, has requested Exhibit 71 including all its contents. Exhibit 71 was referred to in the Petition in this case as the briefcase that was sent to the jury during its deliberations.

Accordingly, YOU ARE HEREBY ORDERED to deliver Exhibit 71, now in your care,

custody, or control relating to Elwood H. Jones's capital conviction to this Court not later than November 15, 2007.

October 30, 2007.

s/ Michael R. Merz
Chief United States Magistrate Judge